REMARKS

Claims 1-25 are in the application. In response to the Office Action dated July 28, 2008, Claims 1, 4-14, 16-18, 23, and 25 are amended, Claims 2, 3, and 15 are cancelled, and no claims are added. Claims 1, 4-14, and 16-25 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. Claim Rejection under 35 U.S.C. §103(a)

A. Claims 1-8, 11-23 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,594,779 to Goodman ("Goodman") in view of U.S. Publication 2002/0107695 to Roth et al. ("Roth"). Applicants respectfully traverse this rejection.

Claim 1, as amended, recites:

> wherein the voice recognition device (40) is able to generate and transmit to the terminal (50, 60, 70) a list containing several most probable text requests, the text requests being associated with probabilities of correspondence with the user's voice request, the text requests of the list of text requests are ranked according to their order of probability. (Emphasis added.)

While Applicant's argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from them.

Goodman discloses a system for downloading multimedia content (programs). In Goodman, the SR/SAR starts prompting the user with predefined menus and then the user gives verbal responses. The SR/SAR interprets the verbal response until a specific program is identified (as indicated at col. 14, 1.38-50). The system as disclosed in Goodman does not allow a user to confirm that his request has been correctly interpreted by the SR/SAR.

In Goodman, if the requests of the user are not correctly interpreted by the SR/SAR, then the system downloads a wrong program. In contrast, the system according to Claim 1 starts

recognizing a voice request and then returns to the user's terminal a list of several requests having most probably the same content as the recognized voice request for confirmation.

In Claim 1, the user can check that his voice request has been correctly recognized by the voice recognition device before downloading the requested media file. It is asserted in the Office Action that *"Goodman further teaches a system, characterized in that the voice recognition device is able to generate and transmit to the terminal a list containing several most probably text requests (Col. 14, line 46 to 50)."* In Goodman, however, the returned "text requests" are in fact menus containing new propositions. They are not text requests having most probably the same content as the recognized voice request and they are not returned for confirmation by the user.

As correctly indicated by the Examiner, Goodman fails to teach that a voice recognition device that receives a voice request, converts the voice request to a text request having the same content as the recognized voice request, and returns to the terminal one or more possible text requests for confirmation by the user, the terminal returning a text request selected by the user, to download a corresponding multi-media file to the terminal via the mobile telephony network. (See page 2, paragraph 4 of the Office Action mailed July 28, 2008.) As a result, the Examiner cites Roth. We respectfully disagree with the Examiner's assertions and characterizations of Roth.

According to the Examiner, Roth recites the above features of Claim 1 that are not disclosed by Goodman. According to the Examiner, these features of Claim 1 are disclosed at paragraphs [0002], [0003] and [0043] of Roth. However, Roth relates to feedback for unrecognized speech.

As disclosed by Roth, a speech input process compares a user's speech command to a plurality of recognizable speech commands available in a speech library to determine if the user's speech is unrecognized speech as opposed to non-speech. (See page 1, paragraph [0004] of Roth.) However, Claim 1 recites the conversion of a voice request into a plurality of text requests, having most probably the same content as the recognized voice requests, that are

returned to the terminal; the text requests are associated with probabilities of correspondence with the user's voice request and the list of text requests are ranked according to their order or probability. Conversely, Roth discloses an acoustic analysis of the user's speech command and the generation of user speech acoustic model from the user's speech command, which is then compared to each of a plurality of recognized speech commands available in a speech library.

Regarding paragraph [0043] of Roth, which is referred to by the Examiner, paragraph [0043] describes acoustical scores, where an acoustical score of one (1) provides 100% probability that a user's command is identical to its related recognized command. Conversely, an acoustical score of zero provides a zero probability that the user command is identical to its related recognized command. Although Roth describes acoustical scores, these acoustical scores merely indicate the probability that speech from a user matches one of a plurality of recognizable speech commands available in a speech library to determine if the user's speech command is unrecognized speech as opposed to non-speech. However, neither paragraph [0043] nor any other portion of Roth discloses that these acoustical scores are provided within lists containing several probable text requests that are ranked according to their probability, as in Claim 1.

It is improper for the Examiner to rely on Roth, since Roth fails to disclose that the voice request is converted into a plurality of text requests, since Roth specifically discloses the use of an acoustical score that indicates the probability that the speech input of a user matches a recognizable speech command available in a speech library for determining if the speech command is unrecognized speech as opposed to non-speech. Moreover, the acoustical scores are not used to rank probability responses to a user, but are in fact used to determine unrecognized speech when the acoustical score is below an acceptable range of acoustical scores that are indicative of unrecognized speech. (See pages 4–5, par. 0044.)

Hence, the Examiner has failed to identify, and we are unable to discern, any portion of either Goodman or Roth that discloses converting said recognized voice request in a plurality of text requests, said text requests having most probably the same content as the recognized voice request and to return to the terminal one or more possible text requests for confirmation by the

user, much less that the text requests provided to the user are ranked according to their probability, as in Claim 1. Therefore, no combination of Goodman in view of Roth can teach or suggest when the voice recognition device is able to generate and transmit to the terminal a list containing several probable text requests, the text requests being associated with the probability of correspondence with the user's voice request, the text requests of the list of text requests are ranked according to their probability.

For each of the above reasons, therefore, Claim 1 and all claims which depend on Claim 1, are patentable over the combination of Goodman in view of Roth as well as the other references of record. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 1-8, 11-23 and 25.

B. Claims 9-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Goodman in view of Roth and further in view of U.S. Patent 6,996,393 to Pyhälammi ("Pyhälammi"). In addition, Claim 24 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Goodman in view of Roth and further in view of U.S. Patent 6,345,250 to Martin ("Martin"). Applicants respectfully traverse these rejections.

Each of Applicants' other independent claims, including Claim 11, contains limitations similar to those in Claim 1. Therefore, all of Applicants' other independent claims, including Claim 11, and all claims which depend on them, are patentable over the cited art, for similar reasons. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of dependent Claims 9-10 and 24.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-25 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: October 23, 2008

By: _____
Joseph Lutz, Reg. No. 43,765

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(310) 207-3800

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

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Alexandra Y. Caluen Date: October 23, 2008